

SEALED

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

KHARY JAMES JONES,
a/k/a "Ricoskyy,"

Defendant.

CRIMINAL NO. 14-

14CR10226-

VIOLATIONS:

18 U.S.C. § 1349 -
Bank Fraud Conspiracy

18 U.S.C. §§ 1344 & 2 -
Bank Fraud

18 U.S.C. §§ 1028A(a)(1) & 2 -
Aggravated Identity Theft

18 U.S.C. § 982
Criminal Forfeiture

INDICTMENT

COUNT ONE: (18 U.S.C. § 1344 – Bank Fraud Conspiracy)

The Grand Jury charges that:

1. At all times relevant to this Indictment:

a. Defendant KHARY JAMES JONES, a/k/a "Ricoskyy," an individual,
resided in the District of Massachusetts.

b. RBS Citizens, N.A. ("Citizens") and Santander Bank, N.A. ("Santander")
were federally insured financial institutions operating in Massachusetts, Connecticut, New
Hampshire, Rhode Island, and elsewhere that offered, among other products and services,
checking and savings accounts to their retail and commercial customers.

c. "A.Z", "J.P.M.", "J.F.M.", and "A.L.", whose identities are known to the

grand jury, resided in the District of Massachusetts and were authorized signatories on either personal or commercial accounts with Citizens.

OBJECT OF THE CONSPIRACY

2. It was the object of the conspiracy for KHARY JAMES JONES and coconspirators known and unknown to the grand jury to obtain personal and commercial bank account information regarding Citizens and Santander customers (“Victims”), and to impersonate the Victims for the purpose of making unauthorized withdrawals from the Victims’ bank accounts.

MANNER AND MEANS OF THE CONSPIRACY

3. KHARY JAMES JONES and coconspirators unlawfully obtained information regarding the Victims’ bank accounts, including from bank employees who were not authorized to disclose customer information.

4. KHARY JAMES JONES and coconspirators sought and obtained bank account information for the Victims with high balances so that unauthorized withdrawals would go unnoticed by the Victims.

5. KHARY JAMES JONES and coconspirators created and obtained fraudulent and counterfeit means of identification, including driver’s licenses and credit and debit cards, in order to impersonate the Victims inside Citizens and Santander branches and to make unauthorized withdrawals from the Victims’ accounts.

6. KHARY JAMES JONES and coconspirators obtained and shared with each other the Victims’ personally identifiable information (“PII”), including dates of birth, addresses, and Social Security Numbers, to use in order to impersonate the Victims.

7. KHARY JAMES JONES and coconspirators obtained copies of the Victims' authentic signatures from official documents, including recorded documents and checks, in order to impersonate the Victims' signatures when making unauthorized withdrawals from the Victims' accounts.

8. KHARY JAMES JONES and coconspirators traveled to Citizens and Santander branches, identified themselves as the Victims, and made, and attempted to make, unauthorized withdrawals and wire transfers out of the Victims' accounts.

9. To avoid detection of the scheme, KHARY JAMES JONES and coconspirators attempted and made several withdrawals from each of the Victims' accounts at different bank branches throughout Massachusetts and New Hampshire.

10. On the dates and approximate times below, KHARY JAMES JONES entered Citizens branches at the locations below, presented a counterfeit Connecticut driver's license in the name of A.Z., and made and attempted to make the following unauthorized withdrawals and wire transfers from A.Z.'s Citizens account number ending in 3970:

DATE	TIME	BRANCH	AMOUNT
01/10/14	17:28	Tewksbury	\$9,000
01/10/14	17:37	Tewksbury	\$7,000
01/11/14	16:57	Sharon	\$8,000
01/13/14	16:42	Raynham	\$8,400
01/14/14	11:57	Raynham	\$75,000
01/17/14	18:46	Framingham	\$7,500
01/19/14	14:38	Abington	\$6,200

DATE	TIME	BRANCH	AMOUNT
01/22/14	15:07	Acton	\$8,400
01/24/14	16:25	Seekonk	\$66,500 (attempt)

11. On February 21, 2014, KHARY JAMES JONES entered a Citizens branch in Belmont, Massachusetts, identified himself as J.F.M., and attempted to withdraw \$9,000 from J.F.M.'s Citizens account number ending in 3827.

12. On April 8, 2014, KHARY JAMES JONES entered a Citizens branch in Portsmouth, New Hampshire, identified himself as A.L., the authorized signatory on a Citizens commercial bank account ending in 4735, and attempted to withdraw \$10,000 from that account.

13. On April 9, 2014, KHARY JAMES JONES entered a Citizens branch in Worcester, Massachusetts, identified himself as J.P.M., the authorized signatory on a Citizens commercial bank account ending in 1013, and attempted to withdraw \$3,800 from that account.

14. On April 10, 2014, KHARY JAMES JONES entered a Citizens branch in Stoughton, Massachusetts, identified himself as J.P.M., and attempted to withdraw \$3,800 from the commercial bank account described in paragraph 13 above.

15. In this fashion, defendant KHARY JAMES JONES and coconspirators stole more than \$300,000 from the Victims' accounts at Citizens and Santander between in or about August 2013 and April 10, 2014.

16. From at least as early as August 2013 until April 10, 2014, in the District of Massachusetts and elsewhere,

KHARY JAMES JONES,
a/k/a "Ricoskyy,"

knowingly and intentionally conspired and agreed with other persons known and unknown to the grand jury to commit bank fraud contrary to Title 18, United States Code, Section 1344, namely, to knowingly execute a scheme and artifice to defraud financial institutions and to obtain moneys, funds, and other property owned by, and under the custody and control of, financial institutions, by means of materially false and fraudulent pretenses, representations, and promises, that is, the impersonation of bank customers to make unauthorized withdrawals from their personal and commercial accounts.

All in violation of Title 18, United States Code, Section 1349.

COUNTS TWO THROUGH NINE: (18 U.S.C. § 1344 – Bank Fraud)

The Grand Jury further charges that:

17. Paragraphs 1 through 15 of Count 1 of the Indictment are hereby incorporated as if set forth fully below.

18. On or about the dates and times specified in the table below, in the locations in the District of Massachusetts identified in the table below and elsewhere,

KHARY JAMES JONES,
a/k/a “Ricoskyy,”

knowingly executed a scheme and artifice to defraud Citizens Bank and to obtain moneys, funds, and other property owned by, and under the custody and control of Citizens Bank, by means of materially false and fraudulent pretenses, representations, and promises, that is, by impersonating A.Z., a Citizens customer, and by making unauthorized withdrawals from A.Z.’s Citizens bank account ending in 3970 in the amounts listed for each count in the table below.

COUNT	DATE	TIME	BRANCH	AMOUNT
2	01/10/14	17:27	Tewksbury	\$9,000
3	01/10/14	17:35	Tewksbury	\$7,000
4	01/11/14	16:56	Sharon	\$8,000
5	01/13/14	16:42	Raynham	\$8,400
6	01/14/14	11:57	Raynham	\$75,000
7	01/17/14	18:43	Framingham	\$7,500
8	01/19/14	14:34	Abington	\$6,200

COUNT	DATE	TIME	BRANCH	AMOUNT
9	01/22/14	16:56	Acton	\$8,400

All in violation of Title 18, United States Code, Sections 1344 and 2.

COUNT TEN: (18 U.S.C. § 1028A(a)(1) Aggravated Identity Theft)

The Grand Jury further charges that:

19. Paragraphs 1 through 15 of Count 1 of the Indictment are hereby incorporated as if set forth fully below.

20. Between on or about January 10, 2014 and on or about January 24, 2014, in the District of Massachusetts and elsewhere,

KHARY JAMES JONES,
a/k/a "Ricoskyy,"

did, during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit, a felony violation contained in chapter 63 of Title 18 of the United States Code -- namely, the conspiracy to commit bank fraud charged in Count 1 and the bank frauds charged in Counts 2 through 9 -- knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, namely, A.Z.'s name, date of birth, and Citizens Bank account number.

In violation of Title 18, United States Code, Sections 1028A(a)(1) and 2.

FORFEITURE ALLEGATIONS

18 U.S.C. § 982(a)(2)(A)

21. Upon conviction of any of the offenses alleged in Counts 1 through 9 of this Indictment, the defendant,

KHARY JAMES JONES,
a/k/a "Ricoskyy,"

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation. The property to be forfeited includes, but is not limited to, at least \$327,900 in United States currency.

22. 2. If any of the property described above, as a result of any act or omission of the defendant.

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

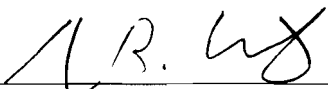
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section

982(b)(1).

All pursuant to Title 18, United States Code, Section 982.

A TRUE BILL,

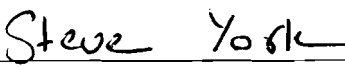

FOREPERSON OF THE GRAND JURY



SETH B. KOSTO
ADAM J. BOOKBINDER
ASSISTANT U.S. ATTORNEYS
DISTRICT OF MASSACHUSETTS

July 30, 2014

Returned into the District Court by the Grand Jurors and filed.



Deputy Clerk

12:00 pm

7/30/14